

Fishing Tournament Advisory Committee

January 26, 2006

12:00 noon – 4:00 p.m.

Holiday Inn, Wausau/Schofield

MEETING NOTES

I. Welcome and Introductions (5 minutes)

A. Welcome and introduction of attendees.

<u>Name</u>	<u>Affiliation</u>	<u>Name</u>	<u>Affiliation</u>
Patrick Schmalz	WDNR–Madison (FH)	Mark Soletske	N.E.W. Bass
Scott van Egeren	WDNR –Madison (FH)	Warren Zaren	C.A.S.T.
Russell Wilson	WDNR-LaCrosse (LE)	Ted Lind	WI Council of Sport Fishing
Ron Benjamin	WDNR-LaCrosse (FH)	Lyle Gear	Organizations
Joel Everts	Packer Country CVB	Cornell Stroik	WI SMB Alliance
Steve Poll	World Walleye Assoc.	Robert Selk	WI BASS Federation
John Aschenbrenner	WI Conservation Congress	Al Byla	Trout Unlimited
Larry Vanderhoef	WI Wildlife Federation	Tim Kroeff	WDNR-Madison (WR)
Bob Miller	WI Wildlife Federation	Sue Beyler	WDNR-Sturgeon Bay (FH)
Roger Dreher	WI Association of Lakes	Tim Andryk	WDNR-Waukesha (FH)
Bob Hujik	WDNR-Eau Claire (FH)	Tom Van	WDNR-Madison (LS)
Michelle Kilburn	Mercury Marine	Haren	WDNR-Madison (LE)
Brett Stapelmann	WI Bowfishing Assoc.	Mike Neal	WDNR-Sturgeon Bay (LE)

B. Agenda Repair. - NONE

II. Bass fishing tournament pilot program (1 hour)

A. Selection of 2006 events (30 minutes).

Bass fishing tournament pilot program events have been selected by the department and those organizers notified. The final decision regarding those events was made by the department after considering the input from the advisory committee at its November meeting, and input from potentially impacted field staff. The following events were selected:

Event	Location	Dates
Sturgeon Bay Open Bass Tournament	Sturgeon Bay – Sawyer Park	May 20 – 21
FLW Everstart Series	Mississippi River Pools 7-10, LaCrosse	July 12 – 15
Bassmaster Series	Wolf River Chain, Winneconne	July 30
WI BASS Federation 4-Man Classic	Madison Chain – Lake Farm	Sept. 23-24

- A question was posed as to why two of the four events would be held on waters known to have LMB virus after the significant fish kill at the FLW in LaCrosse in 2005. *Answer: LMBV is now on the Wisconsin fisheries landscape and will continue to be, and thus the 2006 pilot program evaluation offers another opportunity to look at potential mortality due to LMBV. Regulation of bass fishing tournaments will need to consider LMBV.*

B. Pilot Program Evaluation (30 minutes)

1. Sociological impacts update

- An outline was constructed by WDNR researcher, Jordan Petchenik, after he and Ed Nelson gathered input from the FTAC relating to sample populations and priority issues. The outline also considered the budget available for the project. That outline was reviewed by the FH Bureau and approved.
- A draft questionnaire for the general angler survey will be completed in February for review by the FTAC, prior to its execution. Tournament anglers and lakeshore property owners will be interviewed. If time and dollars permit, a survey will be constructed for non-angler users of lakes and rivers.
- Upon completion, each portion of the sociological impacts assessment will be reviewed by the FTAC.

2. Biological impacts update.

- Craig Williamson, UWSP graduate student, will again lead mortality studies at each of the 2006 pilot program events. In addition, Craig has proposed to do simulated tournaments to estimate live-well holding (culling) mortality. Craig will attend an early spring meeting to talk to the group.

3. Economic impacts update – Elite 50 report.

- A report on the economic impact of the ESPN/BASS Elite 50 tournament on Lake Wissota was completed and mailed to FTAC members. Schmalz is working with UW-Madison on a project to continue evaluating all the pilot program events.

III. Fishing Tournament Rule Development (3 hours)

A. Rule Development Timeline

- Schmalz discussed an accelerated timeline with the group. The FH Bureau would like the committee to have new tournament rules in place by April 2007.
- The goal of the committee now is to have a comprehensive tournament rule package ready to be in place (at our previous meeting we discussed only boundary water rules).
- A rule needs to be completed by May 1. It would be taken to the NRB in June 2006 to request authorization to conduct public hearings. Public hearings would be held during September in several locations throughout the state (these hearings would be specific to tournament regulations). The rule will be revised based on input from the public hearings and presented to the NRB for adoption in October. Legislative review would follow and the rule would become effective April 1, 2007.
- A concern was raised regarding the accelerated timeline and writing rules before the pilot program evaluation is completed. *Response: The pilot program evaluation is targeted specifically at bass fishing tournaments and was mandated by Act 249. The primary initial use of those data will be for the legislative review that will most likely happen later this year (late fall early winter). The rule development efforts encompass more than just bass fishing tournaments. Although the pilot program evaluation will certainly provide useful information, many of the issues are unrelated. In addition, this particular effort will most likely need to be modified slightly in the future, and can also be modified as information from the pilot program and other studies,*

such as the University of MN walleye mortality study becomes available. The FTAC will exist into the future to address tournament fishing issues as they arise in the future.

B. Review of Components of Act 249 – Specific rule-making authority

- Schmalz presented the specific rule-making authorities granted as part of 2003 Wisconsin Act 249. The group then discussed whether rules needed to be drafted under each of those authorities and what specifically those rules may be.

Rules governing the circumstances for a permit waiver:

- Current rules only require permits for events where competition is the primary intent, there are more than 20 boats/40 participants, and prizes are awarded which total more than \$500.
- Schmalz suggested considering exempting events that are for youth (younger than 18 years old) and events smaller than 20 boats/40 participants.
- There was support from the group to require permits for events smaller than 20 boats/40 participants, citing several reasons: 1) smaller events are a management concern for some areas of the state; 2) it is not difficult to apply for a permit; 3) need to look at the tournament permitting process as an educational opportunity (e.g. AIS); 4) conflicts at landings can happen with smaller events, especially at smaller access sites; 5) there is a potential to collect useful data from tournament catch reports; 6)
- There was some concern about not having a monetary requirement. If there is no monetary requirement then would permits be required for friendly outings? *Answer: Permits would only be required for events where competition is the primary intent. Thus the 'club outing' for fun/camaraderie would not require a permit. Perhaps competition could be clarified to help with this issue.*
- A suggestion was made that permits not be required for events larger than 20 boats if the participants are not keeping their fish (e.g. immediate release).
- There was general agreement to regulate open-water and ice fishing tournaments differently/separately. Specific concerns focused on how to permit ice fishing derbies based on the number of participants when that may not be known until the event is held. *Response: Ice fishing tournaments should assume the largest turnout when applying (or deciding whether they need to apply).*
- There was a suggestion to write certain rules that would apply to all tournaments, regardless of whether a permit was required.
- Calling for a recommendation closed discussion. The options summarized from the discussion were:
 - Maintain 20 boats/40 participants.
 - Lower the boat total for open-water tournaments.
 - Have lake-size specific requirements (e.g. lower numbers for smaller waters).
 - Require a permit for all events that have a weigh-in.
 - Need special consideration if an event is using private access.

Schmalz will draft rules related to the permit requirements for consideration by the committee at its next meeting.

Rules establishing training or educational requirements for persons seeking a permit:

- Schmalz presented two potential options to consider regarding educational and training requirements, 1) Volunteer sanctioning (CAST); 2) WDNR education and training, similar to hunter's safety. Initial suggestion was to maintain an educational approach rather than making it a requirement.
- Committee members were split as to whether education and training should be voluntary or required.
- Discussion on voluntary/educational materials
 - Warren Zaren described CAST. More than 800 tournament anglers have taken the 2-hour CAST training program during its 12 years of existence. The program is targeted at both tournament promoters and tournament anglers. The program includes information on ethics, fish handling, public relations, and safety.
 - There was a suggestion that a standard pamphlet be created for tournament permit applicants that contains the rules and AIS information.
 - Some felt that the conditions of current permits outline required fish handling requirements, and that signature on that permit binds the sponsor/promoter to follow those conditions. However, permit conditions currently are not standard across the state.
- Discussion on training requirements
 - There was also interest in requiring training of fish handling should be required of the individual or group conducting a tournament with a weigh-in. Others felt all participants in tournaments should be required to go through training.
 - A \$5 sanctioning card was part of the original CAST program. A similar idea could be revisited, and a card or certification could be required prior to an individual being issued a tournament permit.
 - The Boundary Waters currently requires that all permitted visitors watch a video and then take a quiz prior to their trip. A similar approach could be used for tournament permits. For example, there could be a set of written materials related to AIS, ethics, safety, fish handling, and rules that applicants would be required to read. Part of the application could then be a series of questions (quiz) that need to be answered.
 - Others suggested a statement that applicants have read and understand the materials with a subsequent signature.
- Act 249 contains specific penalties and fines for violations of tournament rules and permit conditions. Enforcement of the existing rules using these new penalties may go a long way to ensuring proper fish handling. Adding new rules will do no good without enforcement and fines, combined with some educational components.
- There was not any definitive resolution reached by the committee regarding requirement vs. voluntary. This issue will need to be revisited. Rule language can be drafted for review by the committee.

Rules for controlling crowding, preventing unsafe conditions, or preventing conflicts among the users of the body of water on which fishing tournaments are held or at facilities for public access to those bodies of water, including boat ramps and parking lots

- Schmalz mentioned the current MN rules that allow them to regulate the number of parking spots used by tournament participants at access sites owned by the state. Proposed MN rules seek to expand that to access sites with state interest, which would include any sites built with SFR dollars as well.
- In general, there was not much support amongst committee members for rules specifically regulating parking stalls at public access sites citing the following:
 - Many of the landings are outside WDNR jurisdiction.
 - This would be difficult to administer in the field, as all tournament vehicles would have to be marked, and it would be easy to simply not mark the vehicle.
 - Many tournaments already leave a certain number of parking spots open for other publics to access the water.
 - The tournament sponsor should regulate parking by participants as a courtesy to others wishing to use a public access, not be regulated.
 - Tournament participants that pay for or otherwise have the right to utilize the public access should not be limited by rule.
- There was general support for providing some local discretion to biologists to regulate public access based on specific local conditions such as the size, condition, and quantity of public access.
- There was also a suggestion to provide some type of local notification so that other publics will be aware of a tournament using a particular access site.
- Regulation of other safety and user conflict issues was discussed, primarily when on the waters.
- It was suggested that rules be written requiring boats used by tournament participants to be marked so as to be easily identifiable as a tournament participant on the water.
 - In addition to common marking, it was felt that individual boat identification should be required. Boat registration number was suggested.

Rules relating to prevention of the waste of a natural resource

- Schmalz presented some topics that should be considered, such as: 1) limits on catch-hold-release events based on species, water temperature, disease; 2) area fished/distance traveled restrictions; 3) time limits on fishing day.
- Current rules allow permit conditions specifying fish holding conditions for live release events, allow the department to specify fish not be held, and there is a time limit for tournament days.
- One important consideration regarding rules written under this authority is whether to codify specific/consistent fish handling procedures, maximum areas that may be fished, or limits on the length a tournament day may be? Or should rules be written that give local staff flexibility/discretion to write conditions.
- It may be difficult to put all conditions into rules. It may even be inappropriate.
- Enforceability of local permit conditions vs. administrative code language regarding fish holding was discussed:
 - WDNR LE felt that local conditions are certainly enforceable, but it relies on communication between local LE and local fisheries staff.
- Fish holding standards were discussed:

- Schmalz stated tournament organizers must be accountable for not being adequately prepared to handle fish (e.g. not having enough tanks to hold the quantity of fish brought in to a weigh-in, not having the ability to ensure adequate dissolved oxygen levels and water temperature).
- Off-site weigh-ins were mentioned. MN regulates the total number of dead fish allowed in an event and the total number of fish that can be part of an off-site weigh-in.
- It was recommended that rules should give WDNR the ability to modify permit conditions prior to an event due to unexpected/unusual circumstances.
- The concern over consistency was again discussed. The more discretion that is given to condition individual tournament permits, the less consistency there is likely to be. Lack of consistency (across the state) is currently a common complaint by fishing tournament organizers.
- There was no decision reached regarding exactly how to regulate fish handling concerns. Schmalz will draft language for the committee's review based on input.

Rules relating to protection of waters, fish and other aquatic resources

- This authority is somewhat similar to the previous (prevent waste of a resource), but may be where regulations regarding diseases and exotics fit.
- Discussion focused on exotics and disease.
- There was question as to how the department could write rules for tournament anglers that do not apply to all anglers.
- Tim Andryk (WDNR attorney) clarified to the committee that Act 249 indeed provides the authority to write tournament regulations related to exotic species.
- It was also noted that the department is currently working on broad exotics regulation regarding boaters.
- There was a suggestion for a rule similar to MN, where boats cannot be launched with plants attached or be transported.
- It was also suggested that limits related to live bait be explored, such as requiring minnows to be purchased in Wisconsin, and requiring proper disposal.
- Requiring mandatory disinfections of tournament boats was also mentioned.
- There was some discussion relating to limiting multiple-water tournaments.
- There was also discussion about regulating tournaments in waters with largemouth bass virus (LMBV). It was noted that MN is seeking to ban live release tournaments in waters with LMBV (events that hold/transport fish).
- There was no recommendation for specific language, so Schmalz agreed to draft some language as a start for the committee to review and revise.

Rules specifying the number of tournaments that may be held on a waterbody

- Schmalz presented the options that had previously been discussed by the committee. Those included:
 - 6/29/2005 FTAC meeting discussion:
 - <450 acres – events must be separated by at least 2 weeks, with only one concurrent event.

- 450 – 3,000 acres – Events must be separated by at least 1 week. Only one event simultaneously (game fish only).
 - > 3,000 acres – No limit on the frequency of events. Biologist may limit the number of events held simultaneously based on potential user conflicts. Discretions need to be identified (e.g. availability of public access, water temperature).
- Tournament pressure (boats * days).

Lake Size	Number of Lakes	Maximum # of Boats	Maximum # of Days	Maximum # of Tournaments	Maximum Pressure Boat*Days	Comments
<250 acres	13,794	No tournaments	No tournaments	No tournaments	No tournaments	
250 - 449	236	30	2	2	120	1 boat / 15 acres
450 - 999	169	40	3	3	360	1 boat / 25 acres
1000 - 4999	112	165	4	4	2640	1 boat / 30 acres
5000 +	24	No limit	No limit	No limit	No limit	

Maximum number of boats based on boats/acre for the lake size category taken from NR 1.91(5).

- The public access standards set forth in NR 1.91(5) were used to calculate the maximum number of boats for a waterbody in the identified size category of lake.
 - Maximum number of days and maximum number of tournaments was arrived at arbitrarily and utilized in the calculation of boat*days, which would be the number by which monthly limits are set.
- There was discussion on how pressure would work for rivers, small tournaments, lake chains, and ice fishing events. This would need to be clarified in rules.
 - The committee generally agreed with the 'pressure' concept rather than a simple maximum number of tournaments allowed each month.
 - Schmalz also presented current MN law, which regulates the absolute number of permitted events allowed per month within lake-size categories. Proposed MN laws would separate the Mississippi River pools and other rivers. MN also separates out large permitted events and allows only a certain number of tournaments per month to be large. MN also has a permit*day and establishes a monthly maximum.

River	Max # permitted contests	Max # large permitted contests	Max # permitted contest days
Mississippi River Pool 3, 5, 5A, 6, 7, 8, 9	4 (each pool)	2 (each pool)	8 (each pool)
Mississippi River Pool 4	5	3	10
St. Croix River	2	1	4
Lake St. Croix (US 10 – Acola Bar)	4	2	8
Other Rivers	2 (per segment)	1 (per segment)	4 (per segment)

- Specific discussion followed:
 - Tournaments should not be prohibited on lakes less than 250 acres if the lake is part of a chain that totals more than 400 acres, and that are navigable by boats used by tournament participants.
 - Some small waters “fish big” and some big waters “fish small”; it is habitat dependant rather than simply surface acreage. May be species specific as well, as different species have different habitat requirements/preferences. This may be true, but nearly impossible to manage tournaments by, need to use a simple and measurable criterion.
 - Should exemptions be created for tournaments using private access? Private access utilization eliminates conflict at the access site.
 - Lakes without public access should not be exempt.
 - One of the most successful and popular night bow fishing tournaments takes place on two lakes smaller than the 250 acre limit.
 - Long-time tournaments should be grand-fathered.
 - For events on lakes less than 100 acres, lake associations should have to approve events.
 - There was concern raised about treating tournaments unfairly (e.g. we do not regulate the number of sailboats on the water per day).
- Discussion about ice fishing tournaments:
 - Many felt that ice fishing tournaments are generally less competitive by nature; although some of the largest (number of participants and prizes) tournaments in Wisconsin are ice fishing (e.g. Pelican Lake \$40/hole, 3,000 holes).
- Brief discussion about fees:
 - Fees proposed are suggested to be application fees and not permit fees.

- Application fees may favor larger tournament organizations who can afford to pay for the chance at getting a tournament on a given weekend/lake combination.
- Concern that the proposed limits do not address the potential for an individual or sponsor to conduct tournaments back-to-back over multiple months, potentially leading to 12-days in a row.
- Stream limits were discussed, and it was identified that limits based on capacity needed to be developed, if possible.
- A suggestion was made to regulate the number of tournaments based on a lake's trophic status.
- The need for rules to be as simple as possible was stressed, as the rules need to be interpretable and enforceable. In addition, it was stressed that draft rules that come out of the committee may well be modified after public hearings due to public comments.

*A call for recommendation was made – the committee voted to draft rules establishing limits based on the boat*days “budget”.*

Rules governing the frequency with which tournaments may be held and the dates on which they may be held

- MN law prohibits events on fishing season openers and holidays during the open-water season (Memorial Day, July 4, Labor Day).
- WI rules prohibit only on fishing season openers.
- WI should allow events on openers, especially for Sturgeon Bay because the city launch does not permit tournaments in June. Adding Memorial Day would eliminate two May weekends. That packs tournaments into a shorter time period.
- Rules could exempt Great Lakes because of adequate public access.
- Prohibiting tournaments on holiday weekends would aid in reducing user conflicts (real and perceived).

Discussion was cut short as time ran out on the meeting.

V. Next meeting (5 minutes)

Most likely, the committee will need three more meetings to get a rule drafted for the NRB by May 1. A sub-committee approach was recommended and agreed to by the committee.

A longer meeting was also recommended. The next meeting was set for February 15. It will be of the entire committee again, with sub-committees identified then.